

**United States District Court**

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

PAUL JAWORSKI

§

V.

§

CASE NO. 4:05CV404

DENTON COUNTY, TEXAS

§

(Judge Schneider/Judge Bush)

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On January 11, 2006, the Magistrate Judge entered his report containing his proposed findings of fact and recommendations that Defendant's Motion to Dismiss be granted, in part and denied, in part, and that Plaintiff's claims for violation of Article 1 §§ 8 and 29 of the Texas Constitution and for punitive damages be dismissed.

The Court, having made a *de novo* review of the objections raised by Plaintiff, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is, therefore,

**ORDERED, ADJUDGED and DECREED** that Defendant's Motion to Dismiss is GRANTED, in part and DENIED, in part. It is further

**ORDERED** that Plaintiff's claims for violation of Article 1 §§ 8 and 29 of the Texas Constitution and for punitive damages are **DISMISSED**.

SIGNED this 6th day of February, 2006.



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE